

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA §  
§  
v. § No. 4:16CR173  
§ Judge Crone  
WILLIAM CRAIG WHISMAN §

## **MOTION TO SEAL GOVERNMENT'S MOTION RESPONSE**

The United States hereby requests an Order permitting the government to file Government's Response in Opposition to Defendant's Motion to Suppress under seal, and would show the Court as follows:

On September 12, 2017, defendant William Craig Whisman filed a motion to suppress evidence seized pursuant to search warrants issued by United States Magistrate Judge Kimberly C. Priest Johnson. The warrants authorized members of the FBI to search Whisman's vehicle and residence. As part of his argument, Whisman claims that FBI Agent Aaron Covey's affidavit for the search warrant of Whisman's residence made statements about two minor females, when he (purportedly) learned the same day that the females were not minors.

In order to adequately respond to these allegations, the government will be required to make statements that will essentially identify the females. These females were unknowingly subjected to surreptitious video recording and are crime victims within the meaning of the Crime Victims' Rights Act, 18 U.S.C. § 3771(e)(2). As such, the females have the right to the protection of their dignity and privacy. 18 U.S.C. § 3771(a)(8).

Recognizing the government's obligations to the crime victims, the government respectfully seeks to file its response to Whisman's suppression motion under seal, thus protecting the females from further identification and embarrassment.

WHEREFORE, PREMISES CONSIDERED, the government respectfully requests that the Court issue an Order permitting the government to file its motion response under seal.

Respectfully submitted,

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/s/  
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**CERTIFICATE OF CONFERENCE**

The undersigned conferred with Patrick McLain, Esq., counsel for the defense, who advised that, to the extent that the government's motion pertains to identification of victims, the defense does not oppose.

/s/  
MARISA J. MILLER

**CERTIFICATE OF SERVICE**

This is to certify that on September 26, 2017, I filed this document with the Clerk using the CM/ECF filing system, which will cause a copy of this document to be delivered to counsel for the defendant via electronic mail.

/s/  
MARISA J. MILLER